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Agenda item 160
MEASURES TO ELIMINATE
INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fifty-fourth year

Letter dated 14 January 2000 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to write to you to request that the enclosed letter dated 5 January 2000 from Mr. Rogelio Acevedo González, Chairman of the Cuban Civil Aeronautics Institute, addressed to Mr. Assad Kotaite, President of the Council of the International Civil Aviation Organization, and the appendices thereto, be issued as a document of the General Assembly under agenda item 160, and of the Security Council.

(Signed) Bruno RODRÍGUEZ PARILLA
Ambassador
Permanent Representative

Annex

Letter dated 5 January 2000 from the Chairman of the Cuban Civil Aeronautics Institute addressed to the President of the Council of the International Civil Aviation Organization

I have the honour to write to you pursuant to the provisions of the resolution adopted by the Council of the International Civil Aviation Organization (ICAO) at the twentieth meeting of its one 148th session on 27 June 1996, paragraph 9 of which requests all contracting States to report at any time to the Council any infraction of the rules contained in the Convention on International Civil Aviation

On 1 January 2000, between 8 and 8.37 a.m. local time, an aircraft from the United States violated the airspace of the Republic of Cuba and, more specifically, the prohibited area of the city of Havana MU-P 1. Boldly and carelessly, the aircraft flew at very low altitude over buildings and densely populated areas of the capital city, dropping articles and endangering persons and property.

The unknown aircraft was a Cessna 172 M, white with a blue and red stripe and United States registration No. N 9367 H. The flight in our airspace was made without filing a flight plan, an SSR transponder code or communicating with Cuban air route/traffic control services.

We have learned that the aircraft was flown by Mr. Ly Tong, a former pilot with the South Vietnamese air force who now lives in the United States, and that his licence was issued on 23 December 1999.

During the violation, Havana Area Control Centre (CCA) twice alerted Miami Air Route Traffic Control Centre (ARTCC) regarding the flight of the aircraft. The latter Centre contacted CCA at 8.59 a.m. requesting information about the aircraft.

We believe it is essential to inform ICAO and, in particular its Council, of the danger that such flights pose to the safety of air traffic in the region and the need to prevent a disaster occurring.

This type of incident violates the provisions of articles 4 and 12 of the Chicago Convention and also article 3 bis thereof, which has been in force since 1 October 1998, and should be dealt with under the law as prescribed in those articles.

Based on the foregoing, we are asking you in your capacity as President of the ICAO Council, to take firm action on the subject. We ask you to use your good offices to intercede with the corresponding authorities so that they may take the necessary steps to ensure that such incidents are not repeated.

We believe that special attention should be given to the principles set forth in article 3 bis, paragraphs (c) and (d). Accordingly, the authorities involved should be urged to observe the international provisions so that any

violation of the applicable laws and regulations may be severely punished and to adopt appropriate measures to prohibit the deliberate use of civil aircraft for purposes that are incompatible with the goals of the Convention.

Enclosed please find documents relating to the incident.

(Signed) Rogelio ACEVEDO GONZÁLEZ

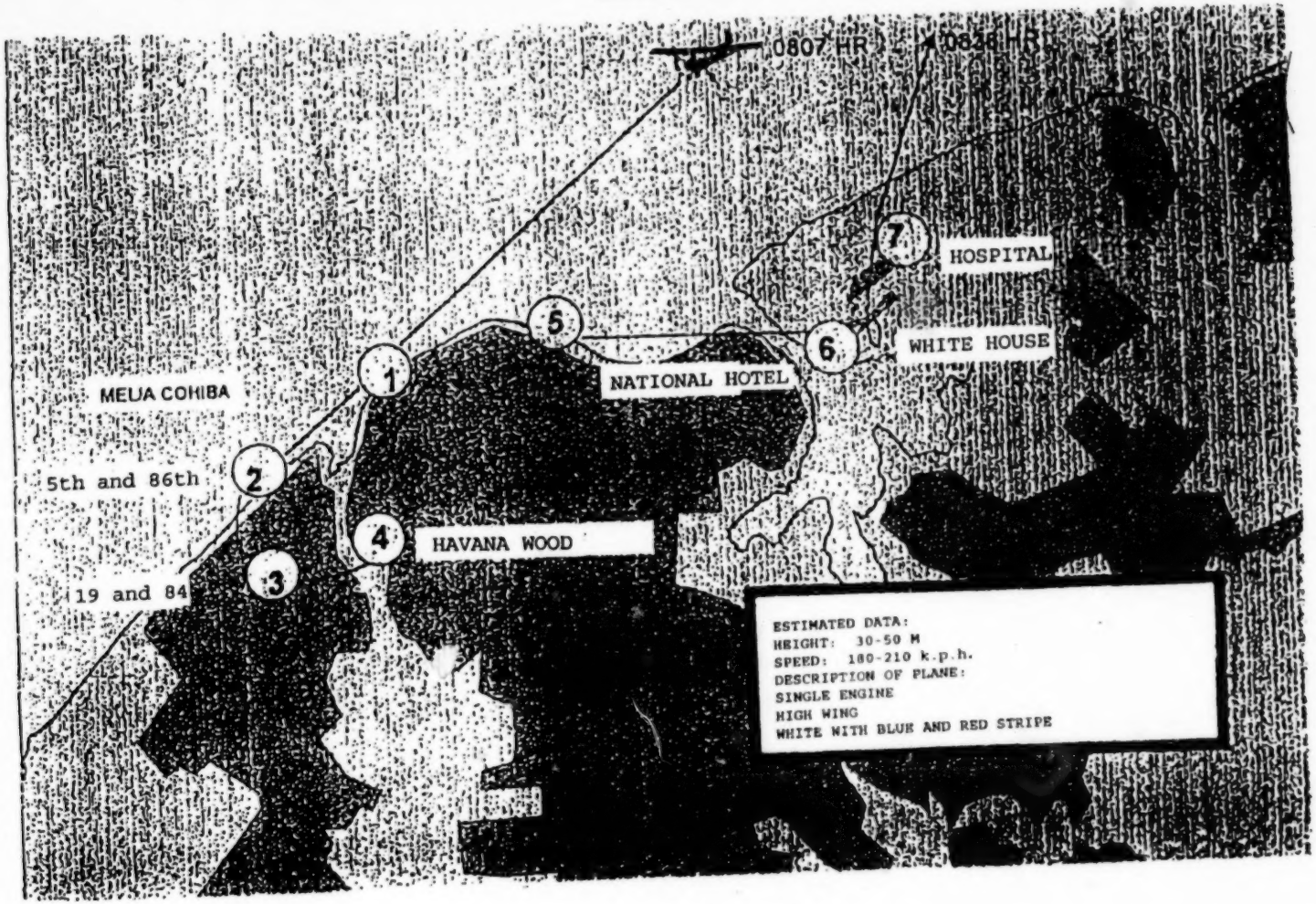
Appendix I

Chronology of events relating to the violation of Cuban airspace by a light aircraft from the territory of the United States on 1 January 2000

Universal time coordinate	Local time	
1307	0807	A light, single-engine aircraft is detected penetrating from the sea, flying west-south-west at a height of 30-50 metres
1315	0815	It is sighted over 5th and 86th streets in the Miramar district
1316	0816	It is sighted flying over the corner of 19 and 84 in Miramar
1317	0817	It flies over Rio Almendares park
1319	0819	It flies over the National Hotel
1320	0820	It flies over Havana Bay and the Casablanca district
1321	0821	It flies over the Luis Díaz Soto Military hospital facilities
1344	0844	A message is sent to Miami Route Air Traffic Control Centre, alerting it to the flight of that aircraft and requesting information about the aircraft
1348	0848	The message is acknowledged
1359	0859	A message is received from Miami ARTCC, requesting additional information about the unknown aircraft
1413	0913	A message is sent to Miami ARTCC providing additional information
1622	1122	Message transmitted to Miami ARTCC, giving preliminary information regarding the violation

Appendix II

Violation of the airspace of the capital of the Republic of Cuba
1 January 2000



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General Assembly

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21 January 2000
English
Original: French

Fifty-fourth session
Agenda item 96
Question of East Timor

Letter dated 19 January 2000 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General

I have the honour to draw to your attention the statement by the Presidency of the European Union on behalf of the European Union on the situation in Indonesia, issued on 17 January 2000 (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under agenda item 96.

(*Signed*) António **Monteiro**
Permanent Representative of Portugal
to the United Nations

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Annex

[Original: English and French]

Statement on the situation in Indonesia issued on 17 January 2000 by the Presidency of the European Union on behalf of the European Union

The European Union has noted the historic changes of the last few months in Indonesia. It supports the efforts of the new democratically elected Indonesian Government and welcomes the steps taken by President Wahid to strengthen the country's democracy, to reform the military and judicial systems, to restore the vitality of its economy and to solve its internal conflicts through dialogue rather than force.

The European Union therefore believes that the restrictive measures taken against the previous Indonesian Government in September 1999 and which expired today, need not be renewed but notes that the European Union policy regarding arms exports will be governed by strict implementation of the European Union Code of Conduct. In this context the European Union will continue to follow closely events in Indonesia.

The European Union is deeply concerned at the appalling violence in the Moluccas, the tensions in Irian Jaya and the persisting conflict in Aceh. The European Union underlines the need to ensure accountability for past human rights abuses, particularly in East Timor, and the need to meet international concern about the fate of the tens of thousands of refugees who remain in West Timor.

On the eve of President Wahid's visit to Europe, the European Union reaffirms its support for a strong, united and democratic Indonesia and offers its help to the new Indonesian Government in overcoming these challenges in order to strengthen the ties which bind together the European Union and a democratic Indonesia.

The Central and Eastern European countries associated with the European Union, the associated countries Cyprus and Malta and the European Free Trade Association countries Iceland and Norway members of the European Economic Area align themselves with this statement.